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### MEMO ENDORSED

By Facsimile

December 5, 2007

The Honorable Laura Taylor Swain  
United States District Court Judge  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Gandarilla v. City of New York, et al., 07-Civ.-6909 (LTS)

Dear Judge Swain:

I was retained recently to represent Defendant Alberto Sanchez in this matter, and filed an answer last week on his behalf. An Initial Conference in this matter is scheduled December 14, 2007. I am writing to request an adjournment of the conference. On Monday, December 10, 2007, I begin a jury trial before United States District Judge Charles L. Brieant in DiMaggio v. Harrison Central School District, et al. While I believe that Judge Brieant does not traditionally conduct trials on Fridays, at this time, I cannot assure I will not be otherwise engaged on December 14, 2007. Additionally, my recent retention, my need for trial preparation in the DiMaggio case and the fact of Plaintiff's counsel vacation (he returned just today), have all significantly limited my ability to prepare the Preliminary Pre-Trial Statement as required by the Court. I request an adjournment of the Initial Conference until after January 1, 2008. I have spoken with all counsel, who consent to the request. This is my first request for this relief, but a previous request was made by Plaintiff's

*faxed*  
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Chambers of Judge Swain *12-7-07*

counsel.

Respectfully submitted,

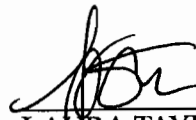


Steven T. Sledzik

cc: Alberto Sanchez  
James Caffrey, Esq. (counsel for Plaintiff, by facsimile)  
Phyllis Calistro, Esq. (Office of Corporation Counsel, counsel for  
Defendant New York City, by facsimile)

The conference is adjourned  
to January 18, 2008, at  
3:30pm.

SO ORDERED.



12/6/2007  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE